

REMARKS

This application has been reviewed in light of the Office Action dated February 8, 2006. Claim 58-66 are presented for examination, having been added in place of Claim 1, which has been canceled, without prejudice or disclaimer of subject matter. Claims 58 and 66 are in independent form. Favorable reconsideration is requested.

The specification has been amended to conform the Summary of Invention section to the amended claims.

An Information Disclosure Statement and a corresponding Form PTO-1449 are filed herewith.

Claim 1 was rejected for obviousness-type double patenting, over Claims 1-5 and 1-17 of U.S. Patent 5,726,768 (Yuji et al.), and under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,041,918 (Ishida et al.).

Independent Claim 58 is directed to an image processing apparatus that comprises a reader, arranged to read an image and to generate image data representing the image, a memory, arranged to store the image data, and an output unit, arranged to output the image data. The apparatus is also provided with a connector, arranged to connect the apparatus to an information processing terminal, and a controller. The controller is arranged to control whether the image data from the reader is stored in the memory and then is outputted to the output unit without being transmitted to the information processing terminal connected by the connector or transferred to the information processing terminal connected by the connector and then outputted to the output unit as a sequentially image output operation.

Claim 58 is believed to define patentably over the mentioned claims of *Yuji* at

least by virtue of the recited controller.

Claim 58 also is deemed clearly allowable over *Ishida* at least by virtue of the recited controller.

Independent Claim 66 is a method claim corresponding to apparatus Claim 58, and is believed to be allowable by virtue of the reasons set forth above with regard to Claim 58.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Accordingly, Applicants submit that those claims are patentable over the art of record.

The other claims in this application are each dependent from independent Claim 58, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "L.P. Diana", is written over a horizontal line.

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